

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF OHIO
WESTERN DIVISION AT DAYTON

PEGGY COX, *et al.*,

Plaintiffs,

Case No. 3:20-cv-272

vs.

CHRISTMAS TREE SHOPS, INC., *et al.*,

District Judge Michael J. Newman

Defendants.

ORDER REQUIRING PLAINTIFFS TO FILE A STATUS REPORT

This civil case is before the Court on Plaintiffs' complaint filed on July 1, 2020. Doc. No. 1. On September 2, 2020, Defendants moved to dismiss Plaintiff's complaint. Doc. No. 9. Plaintiffs opposed the motion (Doc. No. 13) and sought leave of court to file an amended complaint (Doc. No. 11). The Court granted Plaintiffs leave (Doc. No. 17) and denied Defendants' motion to dismiss without prejudice to refiling (Doc. No. 19). Defendants filed a renewed motion to dismiss Plaintiffs' amended complaint on February 16, 2021. Doc. No. 20. Plaintiffs' opposition memorandum was due on or before March 9, 2021. S.D. Ohio Civ. R. 7.2(a)(2). However, Plaintiffs failed to file an opposition memorandum by that deadline.

The Court ordered Plaintiff to show cause on or before March 15, 2021 why Defendants' renewed motion to dismiss should not be granted. Doc. No. 21. On the same day, Plaintiffs noticed a suggestion of death of Plaintiff Peggy Cox. Doc. No. 22. Accordingly, the Court **ORDERS** Plaintiffs to file a status report advising the Court of the current state of litigation.

IT IS SO ORDERED.

Date: March 16, 2021

s/Michael J. Newman
Hon. Michael J. Newman
United States District Judge